

16138 U.S. PTO  
012804

PATENT  
Docket 4424/4526

17548 U.S. PTO  
10/766374

012804

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Prior Application:

In Re Patent Application Of:

Applicant: Shau-Lin F. Chen

Serial No.: 09/834,505

Date Filed: 13 April 2001

Title: LAYERED SOX TOLERANT NOX TRAP CATALYSTS  
AND METHODS OF MAKING AND USING THE SAME

Art Unit: 1754

Examiner: Timothy Vanoy

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**CONTINUATION APPLICATION FILING REQUEST TRANSMITTAL  
PURSUANT TO 37 C.F.R. SECTION 1.53(B)**

Dear Sir

This is a request for a patent application (continuation, divisional, or continuation-in-part) filing pursuant to the continuing prosecution application procedure in accord with 37 C.F.R. Section 1.53(b). A continuation or divisional application that names as inventors the same or fewer than all of the inventors named in the prior application may be filed under this paragraph or paragraph (d) of this section. A continuation-in-part application (which may disclose and claim subject matter not disclosed in the prior application) or a continuation or divisional application naming an inventor not named in the prior application must be filed under this paragraph.

CERTIFICATION UNDER 37 C.F.R. SECTION 1.10

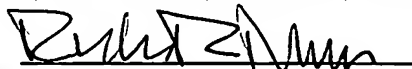
"Express Mail" mailing label number EU 8580 10992US

Date of Deposit 28<sup>th</sup> Jan 04

I hereby certify that this New Application Transmittal, and the documents referred to as enclosed, are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service pursuant to 37 C.F.R. Section 1.10 on the date set out above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Richard R. Muccino

(typed name of person mailing papers)



(signature of person mailing papers)

**1. TYPE OF APPLICATION**

This application is for a

☐ Continuation  
☒ Divisional  
☐ Continuation-in-part

of application serial no. 09/834,505, filed 13 April 2001, and entitled (as originally filed or as last amended)

**LAYERED SOX TOLERANT NOX TRAP CATALYSTS  
AND METHODS OF MAKING AND USING THE SAME**

in the names of the following inventor(s) having the current correspondence addresses (as originally filed or as last amended)

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Inventor: Shau-Lin Frank Chen  
Citizenship: United States  
Post Office Address  
and Residence: 12 Ambrose Valley Lane, Piscataway, NJ 08854

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Secrecy pursuant to 35 U.S. Section 122 is hereby waived to the extent that if information or access is available to any one of the applications in the file wrapper of a 37 C.F.R. Section 1.53(d) application, be it either this application or a parent application in the same file wrapper, the Patent and Trademark Office may provide similar information or access to all the other applications in the same file wrapper.

**2. INVENTORSHIP STATEMENT**

☒ (a) This application discloses and claims only subject matter disclosed in the parent application set out above. The inventors in this application are:

☒ The same as those in the parent application.  
☐ More than those named in the parent application.  
☐ Kindly add the following inventor(s):  
(Newly Executed Oath or Declaration enclosed)

---

- ☐ (b) This application discloses and claims additional subject matter. A new declaration or oath is filed herewith. The inventors in this application are:  
☐ The same as those in the parent application.  
☐ More than those named in the parent application.  
☐ Kindly add the following inventors:  
\_\_\_\_\_

- ☒ (c) The inventorship for all the claims in this application are:  
☒ The same.  
☐ Are not the same. An explanation, including the ownership of the various claims at the time the last claimed invention was made, is submitted.  
☐ will be submitted.

**3. DOCUMENTS ENCLOSED PURSUANT TO 37 C.F.R. SECTION 1.53(b)**

- ☒ Copy of specification and claims that contains  
☒ no new matter.  
☐ new matter.  
☒ Declaration or Oath  
Continuation or Divisional.  
☒ Copy of Oath or Declaration submitted in the prior application.  
☐ Newly Executed Oath or Declaration.  
Continuation-in-part.  
☐ Newly Executed Declaration or Oath.

**4. ADDITIONAL PAPERS ENCLOSED**

- ☐ Information Disclosure Statement.  
☐ Form PTO-1449.  
☐ References.  
☐ Declaration of Biological Deposit.  
☐ Special Comments.  
☐ Assignment.  
☐ Small Entity Statement.  
☒ Express Mail Certification (part of this transmittal letter).  
☒ Two (2) stamped return-addressed postcards.  
☒ Credit Card Form in the amount of \$770.00 calculated as set forth below.  
☐ Other.

## 5. POWER OF ATTORNEY

The power of attorney in the parent application is to

Raymond F. Keller, Reg. No. 28,960  
Richard A. Negin, Reg. No. 28,649  
Richard R. Muccino Reg. No. 32,538

☒ The power of attorney appears in the original papers in the parent application.

☐ The power of attorney does not appear in the original papers in the parent application, but was filed on \_\_\_\_\_.

☐ A new power of attorney has been executed and is filed herewith.

☒ Kindly direct future communications to:

Chief Patent Counsel  
Engelhard Corporation  
101 Wood Avenue - P.O. Box 770  
Iselin, New Jersey 08830-0770  
Telephone (732) 205-6241

## 6. ASSIGNMENT

☒ The parent application is assigned of record to

Engelhard Corporation  
101 Wood Avenue  
Iselin, New Jersey 08830-0770

Recordation date of 29 May 2001 at Reel/Frame 011843/0337

☐ An assignment of the invention to:

\_\_\_\_\_  
☐ Is enclosed (stapled to a copy of this letter).  
☐ Will follow.

Prior Application:  
Shau-Lin F. Chen  
Serial No. 09/834,505  
Filing Date 13 April 2001  
Page 5

**7. PRIORITY BENEFIT UNDER 35 U.S.C. SECTION 119**

Foreign priority benefits under 35 U. S. C. Section 119 are claimed from the foreign application(s) for patent or inventor's certificate listed below.

**Prior Foreign Application(s)**

Application Number	Country	Filing Date	Priority Claimed

\_\_\_\_\_ The certified copy from which priority is claimed under 35 U.S.C. 119 has been filed in the parent application.

\_\_\_\_\_ The certified copy will follow.

**8. PRIORITY BENEFIT UNDER 35 U.S.C. SECTION 120**

  X   Kindly amend the specification by inserting before the first line the following sentence:

"This is a

\_\_\_\_\_ continuation

  X   divisional

of application serial no. 09/834,505, filed 13 April 2001."

**9. MAINTENANCE OF COPENDENCY OF PRIOR APPLICATION**

\_\_\_\_\_ The time for response, without the filing of a petition for extension of time, in the pending parent application is -----.

\_\_\_\_\_ A petition for a ----- (-) month extension of time, the fee, and a response has been filed in the pending parent application to extend the term until ----- . A copy of the petition for extension of time filed in the pending parent application is attached.

  X   The parent application has been allowed but has not issued. No petition is necessary.

**10. ABANDONMENT OF PRIOR APPLICATION.**

☒ Please do not abandon the parent United States application(s) referred to above.

☐ Please abandon the parent United States application(s) referred to above at a time while the parent application is pending or when the petition for extension of time in that application is granted and when this application is granted a filing date so as to make this application copending with the parent application. At the same time, please add the words "now abandoned" to the amendment to the specification set forth in Section 7 above.

**11. CLAIMS FOR FURTHER PROSECUTION**

☒ The fees to be charged are based on the number of claims remaining in the application as a result of:

☐ The claims on file in the parent application.

☐ The claims in the unentered amendment filed under 37 C.F.R. Section 1.116 in the parent application and now resubmitted for reconsideration.

☒ The attached Preliminary Amendment.

**12. FEE PAYMENT BEING MADE AT THIS TIME**

☐ No filing fee is enclosed.

☒ The filing fee is enclosed.

☒ Basic filing fee. \$ 770.00

☐ Recording Assignment fee.  
(\$40.00; 37 C.F.R. Section 1.21(h)(1)) \$

☐ Petition fee for filing by other than all  
the inventors or person on behalf of  
the inventor where inventor refused or  
cannot be reached.  
(\$140.00; 37 C.F.R. Sections 1.47 and 1.17(h)).  
\$

☐ For Processing an application with a  
specification in non-English language.  
((\$26.00; 37 C.F.R. Sections 1.52(d)  
and 1.17(k)). \$

**TOTAL FEES ENCLOSED \$ 770.00**

**13. METHOD OF PAYMENT OF FEES**

☒ Credit Card Payment Form in the amount of \$ 770.00 is enclosed.

☐ Charge Deposit Account 18-1843 in the amount of \$ .

**14. AUTHORIZATION TO CHARGE ADDITIONAL FEES**

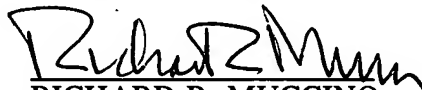
☒ The Commissioner is hereby authorized to charge all fees required during the entire pendency of this application except the issue fee to Deposit Account 18-1843.

**15. INSTRUCTIONS REGARDING OVERPAYMENT**

☒ Credit any overpayment to Deposit Account 18-1843.

☐ Refund.

(A duplicate of this transmittal letter is attached.)



RICHARD R. MUCCINO  
Attorney For Applicant(s)  
Registration Number 32,538

Please forward correspondence to:

Richard R. Muccino  
758 Springfield Avenue  
Summit, New Jersey 07901  
(908) 273-4988  
Enclosures

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL**  
**for FY 2003**

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT**

(\$ 770.00)

**C mplete if Known**

Application Number

Filing Date

First Named Inventor

Shau-Lin Chen

Examiner Name

Timothy Vanoy

Art Unit

1754

Attorney Docket No.

4424/4526Div

**METHOD OF PAYMENT (check all that apply)**☐ Check ☒ Credit card ☐ Money Order ☐ Other ☐ None☐ Deposit Account:Deposit  
Account  
Number  
Deposit  
Account  
Name

18-1843

Engelhard

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) during the pendency of this application☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 750	2001 375	Utility filing fee	770.00
1002 330	2002 165	Design filing fee	
1003 520	2003 260	Plant filing fee	
1004 750	2004 375	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
<b>SUBTOTAL (1)</b>			<b>(\$ 770.00)</b>

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Extra Claims	Fee from below	Fee Paid
20	-20** = 0	X	0
3	-3** = 0	X	0
Multiple Dependent			0

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 84	2201 42	Independent claims in excess of 3
1203 280	2203 140	Multiple dependent claim, if not paid
1204 84	2204 42	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2)**

(\$ 0)

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for <i>ex parte</i> reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 410	2252 205	Extension for reply within second month	
1253 930	2253 465	Extension for reply within third month	
1254 1,450	2254 725	Extension for reply within fourth month	
1255 1,970	2255 985	Extension for reply within fifth month	
1401 320	2401 160	Notice of Appeal	
1402 320	2402 160	Filing a brief in support of an appeal	
1403 280	2403 140	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,300	2453 650	Petition to revive - unintentional	
1501 1,300	2501 650	Utility issue fee (or reissue)	
1502 470	2502 235	Design issue fee	
1503 630	2503 315	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 750	2809 375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 750	2810 375	For each additional invention to be examined (37 CFR 1.129(b))	
1801 750	2801 375	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)**

(\$ 0)

**SUBMITTED BY**

Name (Print/Type)	Richard R. Muccino	Registration No. (Attorney/Agent)	32,538	Telephone	908-273-2988
Signature	<i>Richard R. Muccino</i>	Date	28 Jan 04		

**WARNING: Information in this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.